



Rep. Karen May

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LRB095 11364 HLH 50714 a

1 AMENDMENT TO HOUSE BILL 3424

2 AMENDMENT NO. _____. Amend House Bill 3424, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 1. Short title. This Act may be cited as the
6 Illinois Clean Car Act.

7 Section 5. Definitions. As used in this Act:

8 "Agency" means the Illinois Environmental Protection
9 Agency.

10 "CARB" means the California Air Resources Board.

11 "CCR" means the California Code of Regulations.

12 "Dealer" means a person who is engaged in the sale or
13 distribution of new motor vehicles or new motor vehicles to the
14 ultimate purchaser, and who is licensed under Section 5-101 of
15 the Illinois Vehicle Code.

16 "Fleet average" means, for the purposes of motor vehicles

1 subject to Illinois' Clean Vehicles Program requirements, a
2 motor vehicle manufacturer's average vehicle emissions of all
3 NMOG emissions from vehicles which are produced and delivered
4 for sale in this State in any model year.

5 "Light-duty truck (LDT)" means a motor vehicle rated at
6 8,500 pounds gross vehicle weight or less which is designed
7 primarily for purposes of transportation of property or is a
8 derivative of such a vehicle, or is available with special
9 features enabling off-street or off-highway operation and use.

10 "Light-duty vehicle (LDV)" means a passenger car or
11 light-duty truck.

12 "Gross vehicle weight" or "GVW" means the weight of a
13 vehicle plus the weight the vehicle is designed to carry.

14 "NMOG" means nonmethane organic gases.

15 "Offset vehicle" means a light-duty vehicle which meets the
16 certification requirements of the State of California as set
17 forth in Title 13 CCR, Division 3, Chapter 1, Section 1960.5.

18 Section 10. Purpose.

19 (a) This Act establishes a clean vehicles program under
20 Section 177 of the Clean Air Act (42 U.S.C.A. §7507) designed
21 primarily to achieve emission reductions of the precursors of
22 ozone and other air pollutants from new motor vehicles.

23 (b) This Act adopts and incorporates by reference certain
24 provisions of the California Low Emission Vehicle Program.

25 (c) This Act also exempts certain new motor vehicles from

1 the Illinois Clean Vehicles Program.

2 (d) The Agency may not implement or enforce any vehicle
3 emission standard which is not legally permitted to be
4 regulated under the Clean Air Act or other applicable federal
5 or State law or regulation.

6 Section 15. General requirements.

7 (a) The Illinois Clean Vehicles Program requirements apply
8 to all new passenger cars and light-duty trucks sold, leased,
9 offered for sale or lease, imported, delivered, purchased,
10 rented, acquired, received, titled, or registered in this State
11 starting with the 2012 model year and each model year
12 thereafter.

13 (b) The provisions of the California Low Emission Vehicle
14 Program (hereafter the Program), Title 13 CCR, Division 3,
15 Chapters 1 and 2, as now or hereafter amended, and as defined
16 and implemented by any other applicable California rules and
17 regulations, are adopted and incorporated herein by reference,
18 and apply except for the following:

19 (1) The zero emissions vehicle percentage requirement
20 in Title 13 CCR, Division 3, Chapter 1, §1962.

21 (2) The emissions control system warranty statement in
22 Title 13 CCR, Division 3, Chapter 1, §2039.

23 (c) The Program promulgates emissions standards for
24 individual vehicles sold in the State, as well as averages for
25 the fleet of vehicles that an automaker desires to sell in the

1 State. Those standards are as follows:

2 (1) For NMOG, each automaker's fleet of new vehicles
3 with a GVW of less than 3,750 pounds being sold in the
4 State must average no more than 0.035 grams emitted per
5 mile.

6 (2) For NMOG, each automaker's fleet of new vehicles
7 with a GVW of at least 3,751 pounds, but no more 8,500
8 pounds, being sold in the State must average no more than
9 0.043 grams emitted per mile.

10 (3) Automakers must certify the vehicles they wish to
11 sell in the State as meeting Program emission standards
12 over the full useful life of the vehicle, defined as
13 120,000 miles. In addition, automakers must certify
14 vehicles weighing no more than 8,500 lbs. as meeting a
15 separate set of Program emissions standards at the mid-term
16 life of the vehicle, defined as 50,000 miles. Vehicles must
17 be certified in one of 3 categories, each of which has
18 unique emissions standards for nitrous oxides (NOx), NMOG,
19 carbon monoxide (CO), formaldehyde (HCHO), and particulate
20 matter (PM):

21 (A) Super Ultra Low Emission Vehicles (SULEV);

22 (B) Ultra Low Emission Vehicles (ULEV); and

23 (C) Low Emission Vehicles (LEV).

24 (4) These 3 categories are within each of 3 weight
25 classes:

26 (A) Vehicles with a GVW of less than 8,500 pounds;

1 (B) Vehicles with a GVW of at least 8,501 pounds
2 but no more than 10,000 pounds; and

3 (C) Vehicles with a GVW of at least 10,001 pounds
4 but no more than 14,000 pounds.

5 (5) In grams/mile, at the 50,000 mile level, the
6 standards for vehicles with a GVW of less than 8,500 pounds
7 are:

8 Category	NOx	MNOG	CO	HCHO	PM
9 SULVEV	0.02	0.010	1.0	0.004	N/A
10 ULEV	0.05	0.040	1.07	0.008	N/A
11 LEV	0.07	0.075	3.4	0.015	N/A

12 (6) In grams/mile, at the 120,000 mile level, the
13 standards for vehicles with a GVW of less than 8,500 pounds
14 are as follows; up to 4% of an automaker's vehicles
15 weighing at least 3,751 pounds and not more than 8,500
16 pounds may certify to LEV-A values:

17 Category	NOx	MNOG	CO	HCHO	PM
18 SULVEV	0.02	0.010	1.0	0.004	0.01
19 ULEV	0.07	0.055	2.1	0.011	0.01
20 LEV	0.07	0.090	4.2	0.018	0.01
21 LEV-A	0.10	0.090	4.2	0.018	0.01

1 (7) In grams/mile, the standards for vehicles with a
 2 GVW of at least 8,501 pounds but no more than 10 000 pounds
 3 are:

4 Category	NOx	MNOG	CO	HCHO	PM
5 SULVEV	0.1	0.100	3.2	0.008	0.06
6 ULEV	0.2	0.143	6.4	0.016	0.06
7 LEV	0.2	0.195	6.4	0.032	0.12

8 (8) In grams/mile, the standards for vehicles with a
 9 GVW of at least 10,001 pounds but no more than 14,000
 10 pounds are:

11 Category	NOx	MNOG	CO	HCHO	PM
12 SULVEV	0.2	0.117	3.7	0.010	0.06
13 ULEV	0.4	0.167	7.3	0.021	0.06
14 LEV	0.4	0.230	7.3	0.040	0.12

15 (9) The Program requires automakers to certify the
 16 vehicles they wish to sell in the State according to a
 17 scale of carbon dioxide grams/mile emission ceilings that
 18 begins in Model Year 2012, the first year in which the
 19 Program will be applicable in the State. Those standards
 20 are as follows:

Year	Vehicles<=3,750 lbs. GVW	Vehicles with GVW between 3,751 lbs. and 8,500 lbs.
2012	233	361
2013	227	355
2014	222	350
2015	213	341
2016	205	332

Section 20. Emission requirements.

(a) Starting with the model year 2012, a person may not sell, import, deliver, purchase, lease, rent, acquire, receive, title or register a new light-duty vehicle, subject to the Illinois Clean Vehicles Program requirements, in this State that has not received a CARB Executive Order for all applicable requirements of Title 13 CCR, incorporated herein by reference.

(b) Starting with the model year 2012, compliance with the NMOG fleetwide average in Title 13 CCR, Division 3, Chapter 1, §1961 shall be demonstrated for each motor vehicle manufacturer based on the number of new light-duty vehicles delivered for sale in this State.

(c) Credits and debits for calculating the NMOG fleet average shall be based on the number of light-duty vehicles delivered for sale in this State and may be accrued and utilized by each manufacturer according to procedures in Title 13 CCR, Division 3, Chapter 1, Section 1960.1, subsection

1 (g) (2), FN 7 through 9, and subsection (h) (2), FN 12 and 16.

2 (d) New motor vehicles subject to this Act must possess a
3 valid emissions control label which meets the requirements of
4 Title 13 CCR, Division 3, Chapter 1, Section 1965.

5 Section 25. Exemptions.

6 (a) The following new motor vehicles are exempt from the
7 Illinois Clean Vehicles Program requirements of this Act:

8 (1) Emergency vehicles.

9 (2) A light-duty vehicle transferred by a dealer to
10 another dealer for ultimate sale outside of this State.

11 (3) A light-duty vehicle transferred for use
12 exclusively off-highway.

13 (4) A light-duty vehicle transferred for registration
14 out-of-State.

15 (5) A light-duty vehicle granted a national security or
16 testing exemption under Section 203(b) (1) of the Clean Air
17 Act (42 U.S.C.A. §7522(b) (1)).

18 (6) A light-duty vehicle held for daily lease or rental
19 to the general public which is registered and principally
20 operated outside of this State.

21 (7) A light-duty vehicle engaged in interstate
22 commerce which is registered and principally operated
23 outside of this State.

24 (8) A light-duty vehicle acquired by a resident of this
25 State for the purpose of replacing a vehicle registered to

1 the resident which was damaged, or became inoperative,
2 beyond reasonable repair or was stolen while out of this
3 State if the replacement vehicle is acquired out of this
4 State at the time the previously owned vehicle was either
5 damaged or became inoperative or was stolen.

6 (9) A light-duty vehicle transferred by inheritance or
7 court decree.

8 (10) A light-duty vehicle defined as a military
9 tactical vehicle or engines used in military tactical
10 vehicles including a vehicle or engine excluded from
11 regulation under 40 CFR 85.1703 (relating to application of
12 section 216(2) of the federal Clean Air Act).

13 (11) A light-duty vehicle titled or registered in this
14 State of model year 2011 or earlier.

15 (12) A light-duty vehicle having a certificate of
16 conformity issued under the Clean Air Act and originally
17 registered in another state by a resident of that state who
18 subsequently establishes residence in this State and upon
19 registration of the vehicle provides satisfactory evidence
20 to the Secretary of State of the previous residence and
21 registration.

22 (13) A vehicle transferred for the purpose of salvage.

23 (b) To title or register an exempted vehicle, the person
24 seeking title or registration shall provide satisfactory
25 evidence, as required by the Secretary of State by
26 administrative rule, demonstrating that the exemption is

1 applicable.

2 Section 30. New motor vehicle certification testing.

3 (a) Prior to being offered for sale or lease in this State,
4 new motor vehicles subject to the Illinois Clean Vehicles
5 Program requirements must be certified by CARB as meeting the
6 motor vehicle requirements of Title 13 CCR, Division 3, Chapter
7 1, Section 1961, as determined by testing in accordance with
8 Title 13 CCR, Division 3, Chapter 2, Section 2062.

9 (b) For purposes of complying with subsection (a), new
10 vehicle certification testing determinations and findings made
11 solely by CARB are applicable and shall be provided by motor
12 vehicle manufacturers to the Agency upon a written request.

13 Section 35. New motor vehicle compliance testing.

14 (a) Prior to being offered for sale or lease in this State,
15 new motor vehicles subject to the Illinois Clean Vehicles
16 Program requirements of this Act must be certified by CARB as
17 meeting the motor vehicle requirements of Title 13 CCR,
18 Division 3, Chapter 1, Section 1961, as determined by New
19 Vehicle Compliance Testing, conducted in accordance with Title
20 13 CCR, Division 3, Chapter 2, Section 2101.

21 (b) For purposes of complying with subsection (a), new
22 vehicle compliance testing determinations and findings made
23 solely by CARB are applicable and shall be provided by motor
24 vehicle manufacturers to the Agency upon a written request.

1 Section 40. Assembly line testing.

2 (a) Each manufacturer of new motor vehicles subject to the
3 Illinois Clean Vehicles Program requirements of this Act,
4 certified by CARB and sold or leased in this State, shall
5 conduct inspection testing and quality audit testing in
6 accordance with Title 13 CCR, Division 3, Chapter 2, Sections
7 2106 and 2107.

8 (b) For purposes of complying with subsection (a),
9 inspection testing and quality audit testing determinations
10 and findings made by CARB are applicable and shall be provided
11 by motor vehicle manufacturers to the Agency upon a written
12 request.

13 (c) If a motor vehicle manufacturing facility that
14 manufactures vehicles for sale in this State certified by CARB
15 is not subject to the inspection testing and quality audit
16 testing requirements of CARB, the Agency may, after
17 consultation with CARB, require testing in accordance with
18 Title 13 CCR, Division 3, Chapter 2, Section 2062. Upon a
19 manufacturer's written request and demonstration of need,
20 functional testing under the procedures incorporated in Title
21 13 CCR, Division 3, Chapter 2, Section 2062, of a statistically
22 significant sample, may substitute for the 100% testing rate
23 required in Title 13 CCR, Division 3, Chapter 2, Section 2062
24 with the written consent of the Agency.

1 Section 45. In-use motor vehicle enforcement testing.

2 (a) For purposes of detection and repair of motor vehicles
3 subject to the Illinois Clean Vehicles Program requirements
4 which fail to meet the motor vehicle emission requirements of
5 Title 13 CCR, Division 3, Chapter 1, Section 1961, the Agency
6 may, after consultation with CARB, conduct in-use vehicle
7 enforcement testing in accordance with the protocol and testing
8 procedures in Title 13 CCR, Division 3, Chapter 2, Article 2.3.

9 (b) For purposes of compliance with subsection (a), in-use
10 vehicle enforcement testing determinations and findings made
11 by CARB are applicable and shall be provided by motor vehicle
12 manufacturers to the Agency upon a written request.

13 (c) The results of testing conducted under this Section do
14 not affect the result of any emission test conducted under any
15 other provision of Illinois law.

16 Section 50. In-use surveillance testing.

17 (a) For purposes of testing and monitoring the overall
18 effectiveness of the Illinois Clean Vehicles Program in
19 controlling emissions, the Agency may conduct in-use
20 surveillance testing after consultation with CARB.

21 (b) For purposes of program planning and analysis, in-use
22 surveillance testing determinations and findings made by CARB
23 are applicable and shall be provided by motor vehicle
24 manufacturers to the Agency upon a written request.

25 (c) The results of in-use surveillance testing conducted

1 under this Section will not affect the result of any emission
2 test conducted under any other provision of Illinois law.

3 Section 55. Warranty and recall.

4 (a) A manufacturer of new motor vehicles subject to the
5 Illinois Clean Vehicles Program requirements of this Act which
6 are sold, leased, offered for sale or lease, titled, or
7 registered in this State, shall warrant to the owner that each
8 vehicle will comply over its period of warranty coverage with
9 the requirements of Title 13 CCR, Division 3, Chapter 1,
10 §2035-2038, 2040, and 2041 and this Act.

11 (b) Each motor vehicle manufacturer shall, upon a written
12 request, submit to the Agency failure of emission-related
13 components reports, as defined in Title 13 CCR, Division 3,
14 Chapter 2, Article 2.4 for motor vehicles subject to the
15 Illinois Clean Vehicles Program in compliance with the
16 procedures in Title 13 CCR, Division 3, Chapter 2, Article 2.4.
17 For purposes of compliance with this subsection, a manufacturer
18 may submit copies of the reports submitted to CARB.

19 (c) For motor vehicles subject to the Illinois Clean
20 Vehicles Program, any voluntary or influenced emission-related
21 recall campaign initiated by any motor vehicle manufacturer
22 under Title 13 CCR, Division 3, Chapter 2, Sections 2148 and
23 2149 shall extend to all motor vehicles sold, leased, offered
24 for sale or lease, titled, or registered in this State that
25 would be subject to the recall campaign if sold, leased,

1 offered for sale or lease or registered as a new motor vehicle
2 in California, unless within 30 days of CARB approval of the
3 recall campaign, the manufacturer demonstrates, in writing, to
4 the Agency's satisfaction that the recall campaign is not
5 applicable to vehicles sold, leased, offered for sale or lease,
6 titled, or registered in this State.

7 (d) For motor vehicles subject to the Illinois Clean
8 Vehicles Program, any order issued by or enforcement action
9 taken by CARB to correct noncompliance with any provision of
10 Title 13 CCR, which results in the recall of any vehicle
11 pursuant to Title 13 CCR, Division 3, Chapter 2, Section 2148
12 and 2149 shall be deemed to apply to all motor vehicles sold,
13 leased, offered for sale or lease, titled or registered in this
14 State that would be subject to the order or enforcement action
15 if sold, leased, offered for sale or lease or registered as a
16 new motor vehicle in California, unless within 30 days of
17 issuance of the CARB action, the manufacturer demonstrates, in
18 writing, to the Agency's satisfaction that the action is not
19 applicable to vehicles sold, leased, offered for sale or lease,
20 titled or registered in this State.

21 Section 60. Reporting requirements.

22 (a) For the purposes of determining compliance with the
23 Illinois Clean Vehicles Program, commencing with the 2012 model
24 year, each manufacturer shall submit annually to the Agency,
25 within 60 days of the end of each model year, a report

1 documenting the total deliveries for sale of vehicles in each
2 test group over that model year in this State.

3 (b) For purposes of determining compliance with the
4 Illinois Clean Vehicles Program, each motor vehicle
5 manufacturer shall submit annually to the Agency by March 1 of
6 the calendar year following the close of the completed model
7 year, a report of the fleet average NMOG emissions of its total
8 deliveries for sale of light-duty vehicles in each test group
9 for Illinois for that particular model year. The fleet average
10 report, calculating compliance with the fleetwide NMOG exhaust
11 emission average, shall be prepared according to the procedures
12 in Title 13 CCR, Division 3, Chapter 1, Section 1960.1.
13 subsection (g) (2).

14 (c) Fleet average reports must, at a minimum, identify the
15 total number of vehicles, including offset vehicles, sold in
16 each test group delivered for sale in this State, the specific
17 vehicle models comprising the sales in each state and the
18 corresponding certification standards, and the percentage of
19 each model sold in this State in relation to total fleet sales.

20 (d) Compliance with the NMOG fleet average for the 2012,
21 2013 and 2014 model years must be demonstrated following the
22 completion of the 2014 model year.

23 Section 65. Responsibilities of motor vehicle dealers. A
24 dealer may not sell, offer for sale or lease, or deliver a new
25 motor vehicle subject to this Act unless the vehicle has

1 received the certification described in Sections 30 and 35 of
2 this Act (relating to new motor vehicle certification testing
3 and new motor vehicle compliance testing), and conforms to the
4 following standards and requirements contained in Title 13 CCR,
5 Division 3, Chapter 2, §2151:

6 (1) Ignition timing is set to manufacturer's
7 specification with an allowable tolerance of $\pm 3^\circ$.

8 (2) Idle speed is set to manufacturer's specification
9 with an allowable tolerance of ± 100 revolutions per minute.

10 (3) Required exhaust and evaporative emission
11 controls, including exhaust gas recirculation (EGR)
12 valves, are operating properly.

13 (4) Vacuum hoses and electrical wiring for emission
14 controls are correctly routed.

15 (5) Idle mixture is set to manufacturer's
16 specification or according to manufacturer's recommended
17 service procedure.

18 Section 70. Incorporating future amendments into the
19 Illinois Clean Vehicle Program. The Illinois Pollution Control
20 Board shall adopt amendments, and only those amendments, so
21 that the Illinois Clean Vehicle Program is kept identical in
22 substance to the program outlined in Title 13 CCR, Division 3,
23 Chapters 1 and 2.

24 Section 99. Effective date. This Act takes effect upon

1 becoming law.".